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HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3652 of 2007

PETITIONERS : 1. Yashwant Kumar Sahu Age about 44 year, Astt. Teacher S/o Late Shri Bahoran Singh Sahu Govt. Primary School Koma Block – Fingeshwar Distt. – Raipur (C.G.)

2. Shankar Lal Sahu Age about 45 year, Astt. Teacher S/o Shri Sadhu Ram Sadhu Govt. Primary School Pali Block – Fingeshwar Distt. – Raipur (C.G.)
3. Nohar Ram Dewagan Age about 47 year, Astt. Teacher S/o Shri Latel Ram Dewangan Govt. Midele School Baronda Block – Fingeshwar Distt. – Raipur (C.G.)
4. Smt. Manju Dewangan Age about 42 year, Astt. Teacher W/o Shri Nohar Ram Dewangan Govt. Girls Middle School Kopara Block – Fingeshwar Distt. – Raipur (C.G.)
5. Smt. Parwati Soni Age about 44 year, Astt. Teacher W/o Shri Kundan Lal Soni Govt. High School Kopara, Block – Fingeshwar Distt. – Raipur (C.G.)
6. Smt. Sunita Yadav Age about 38 year, Astt. Teacher W/o Shri Krishna Kumar Yadav Govt. Girls Primary School Rajim Block –Fingeshwar Distt. – Raipur (C.G.)
7. Smt. Vimla Dhankar Age about 39 year, Astt. Teacher W/o Shri Tulsi Ram Dhankar Govt. Primary School Baronda, Block – Fingeshwar Distt. – Raipur (C.G.)
8. Durga Prasad Tarak Age about 44 year, Astt. Teacher S/o Shri Sukharu Ram Tarak Govt. Primary School Rajim (Balak) Block – Fingeshwar Distt. – Raipur (C.G.)
9. Kesho Ram Sahu Age about 44 year, Astt. Teacher S/o Shri Jeevrakhan Lal Sahu Govt. Primary School Fingeshwar, Block – Fingeshwar Distt. – Raipur (C.G.)
10. Yashwant Kumar Sahu Age about 41 year, Astt. Teacher S/o Shri Hemlal Sahu Govt. Primary School Bhendry, Block – Fingeshwar Distt. – Raipur (C.G.)
11. Munna Lal Devdas Age about 47 year, Astt. Teacher S/o Shri Alkhu Ram Devdas Govt. Girls Primary School Koundkera Block – Fingeshwar Distt. – Raipur (C.G.)
12. Chandra Bhushan Sahu Age about 32 year, Astt. Teacher S/o Shri Teekam Lal Sahu Govt. Middle School Jenjra Block – Fingeshwar Distt. – Raipur (C.G.)
13. Rishi Kumar Sahu Age about 42 year, Astt. Teacher S/o Shri Sudarshan Lal Sahu Govt. Primary School Jenjra Block – Fingeshwar Distt. – Raipur (C.G.)
14. Sewa Ram Sahu Age about 42 year, Astt. Teacher

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S/o Shri Dhalu Ram Sahu Govt. High School Ghuma Block – Fingeshwar Distt. – Raipur (C.G.)

15. Om Kumar Verma Age about 46 year, Astt. Teacher S/o Shri Rajau Ram Verma, Govt. Middle School Ghuma Block – Fingeshwar Distt. – Raipur (C.G.)
16. Rajendra Kumar Nag Age about 36 year, Astt. Teacher S/o Shri Pyare Lal Nag Govt. Middle School Borsi Block – Fingeshwar Distt. – Raipur (C.G.)
17. Shiv Kumar Sinha Age about 44 year, Astt. Teacher Govt. Primary School Ghuma Block – Fingeshwar Distt. – Raipur (C.G.)

VERSUS

RESPONDENTS : 1. State Govt. of Chhattisgarh Through Secretary Tribal Welfare Department & Education Department D.K.S. Bhawan, Distt.- Raipur (CG.)
2. Distt. Education Officer Raipur District – Raipur (C.G.)
3. Block Education Officer Fingeshwar District – Raipur (C.G.)
4. Joint Director, Treasury, Accounts & Pension District - Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Somkant Verma, Advocate for the petitioners.
Shri Sumesh Bajaj, Govt. Advocate for the State/respondents.

ORDER

(Passed on 28th day of June, 2007)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on 15-12-2006, pursuant

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to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another***) (Supra).

3. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Examination Certificate on their own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether they have been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Amit